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TAGS: [PGOV](#) [LT](#) [BC](#) [PREL](#) [ASEC](#)  
SUBJECT: LESOTHO: SADC NEGOTIATIONS AT A STANDSTILL, VIOLENCE  
POSSIBLE

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REASON: 1.4 (b), (d)

1.(SBU) Summary: The return of the SADC negotiating team highlighted the fact that no progress has yet been made toward agreement in the political deadlock between the ruling Lesotho Congress for Democracy party (LDC) and the opposition parties. Though negotiators felt they had made progress, political observers fear potential violence if no further steps are taken to appease the opposition. End Summary.

SADC Negotiators return  
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2.(SBU) On Saturday morning, 27 September, PDEP attended a meeting with members of the Southern African Development Community (SADC) Eminent Person Mission on the Post-Electoral Political Dialogue in the Kingdom of Lesotho, headed by former Botswana President Sir Ketumile Masire. Also in attendance at the meeting were representatives from the European Community (EC) and the Irish Embassy.

3.(SBU) During the meeting Masire spoke about the status of negotiations between the ruling LCD party and the opposition parties.

"Terms of reference", yes, but where's the agreement?  
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4.(SBU) Thus far, the two parties have agreed to the "terms of reference" for the electoral experts. Those terms of reference are: "1. To establish and advise on a) Nature and Objectives of the Mixed Member Proportional Electoral System of Lesotho, b) Difference between Mixed Member Proportional and Mixed Member parallel electoral model, c) The provisions, the spirit and the intent of the model; 2. a) To establish the Merits and demerits of the Mixed Member Proportion Model as applied in the 17 February 2007 elections, b) To establish and advice as to whether the allocation of seats in the 17 February 2007 elections complied with the Mixed Member Proportional Model."

5.(SBU) Masire's visit to Maseru this time was a surprise. He had been in Maseru two weeks prior. He came back for two reasons. The first is that he received a letter from Deputy Prime Minister Archibald Lehohla stating that the ruling party and the opposition parties had "agreed to disagree" on the way forward from this point. This prompted his return because of he had felt that there was a "ray of hope" because the two parties had been able to find some areas of agreement. He wants them to meet, discuss, use these terms of reference to lead to next steps.

Childish reactions to abuse of the "spirit of the law"  
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6.(C) Despite this "ray of hope", Masire is not overly optimistic. One of the members of the negotiating team stated that the two parties "act like children". Neither the leading party nor the opposition parties want to cede any ground. The ruling party believes that the judicial system's decision, in which they stated that they do not have jurisdiction to make a decision in this case, is tantamount to saying that the ruling party is right. The opposition parties still want to go back and force reallocation of the disputed seats from the February 2007 elections.

7.(SBU) At the breakfast, Masire mentioned Danish professor Elklit's article from the "Journal of African Elections". The professor was an observer of the elections and has written an article entitled: "the 2007 General Election in Lesotho: Abuse of the MMP System?" He states that the election and its results were not done illegally, but, as Masire put it, "in a cunning way". In other words, the spirit of the law concerning MMP was broken, but not the law itself.

Tensions between and within the parties  
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8.(C) Masire said that he has actually told Tom Thabane, All Basotho Congress (ABC) leader and the unofficial leader of the opposition, that part of the blame for this situation lies with him, because when he left the ruling party, it destabilized the government, and forced them to call for snap elections. The elections, which were scheduled to be held in May 2007, were held three months earlier, in February, and did not leave opposition parties enough time to organize their campaigns.

9.(SBU) Right now, opposition parties are calling for new elections. Some party members would like to see elections as soon as six months from now, though eighteen months is the most accepted time frame mentioned. However, the ruling party is completely against the idea, and has stated that elections will

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be held in 2012 as planned.

10.(SBU) LCD, the governing party, held a policy conference from September 26-29, 2008. Embassy sources indicate that tension is rising within the ruling party itself. The two factions, one said to be aligned to Minister of Natural Resources Monyane Moleleki and the other to Prime Minister Pakalitha Mosisili, are overtly attacking each other in the media.

Potential for violence?  
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11.(C) The issue of most concern is that of potential violence. Masire himself said at the breakfast that: "Tension could rise to a point where there could be downright unrest in the country. This is the fear of the SADC organ." He also said that in such a case, the government of Lesotho "does not know how long it could count on the army and the soldiers to keep the peace. When it happens, it is an explosion." This fear of violence was echoed by members of the negotiating team. The director of the Transformation Resource Center also mentioned potential violence during conversations with the PDEP last week.

12.(SBU) Lesotho has a sordid history of an appearance of calm on the surface, and then violent reactions to seemingly small incidents. In the late 1990s, a major riot broke out based on tensions between the Basotho people and Chinese merchants. The trigger incident was an accusation by a Chinese store owner against a Mosotho lady of shoplifting. Though it was actually a child riding on the lady's back who grabbed an item off the shelf, the accusation resulted in the beating of the mother and eventually to the burning of commercial buildings and violence against individuals.

Comment  
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13.(SBU) Comment: It appears that, for now, things will remain quiet in Maseru on the political front. However, post will remain vigilant and continue to meet with sources from within both the government and the opposition and will inform Washington should any new information surface. End Comment.  
ANDERSON